

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 2-6, 8, and 15, 17-22 are presently active. Claims 1 and 7 have been canceled by way of the present amendment. Claims 2 and 15 have been presently amended.

In the Office Action, Claims 1 and 7 were rejected under 35 U.S.C. § 103(a) as unpatentable over Karasawa et al (U.S. Patent No. 6,320,234) and Givens et al (U.S. Patent No. 6,080,655) in view of Applicant's Figure 22. Claims 2-6, 8, 15, and 17-22 were indicated as being allowed.

Firstly, Applicants acknowledge with appreciation the indication of allowance for Claims 2-6, 8, 15, and 17-22.

Secondly, Applicants acknowledge with appreciation the courtesy of Examiner Owens to interview this case on February 3, 2003. The substance of the interview is summarized herebelow.

As discussed during the interview, the structure closest to the present invention according to the Office Action is assumed to be the structure where a dielectric layer 52 (associated in the Office Action with the silicon nitride film of the present invention) and a barrier layer 30 (associated in the Office Action with the first oxide film of the present invention) disclosed in Fig. 3C of Givens et al for example are used for the interlayer dielectric layers 66 shown in Fig. 1 of Karasawa et al.

As the Office Action acknowledges, the dielectric layer 52 is used as an etching stopper, as shown in Fig. 3C of Givens et al.¹ Accordingly, a damascene line

¹ Office Action, page 5, lines 12-13.

74 is necessarily formed larger than a via 72. More specifically, the damascene line 74 is necessarily formed as a wiring layer on a part of the dielectric layer 52.

As discussed during the interview, in the same manner, Karasawa et al show a structure where the diameter of a pad layer 90 is larger than that of an electrically conductive material 82. Therefore, even in the structure produced by a combination of Givens et al and Karasawa et al, because the pad layer 90 is necessarily formed on a part of the interlayer dielectric layers 66, it is impossible to form the interlayer dielectric layer 74 (associated in the Office Action with the second oxide film of the present invention) on the upper surfaces of the interlayer dielectric layers 66 (associated in the Office Action with the silicon nitride film of the present invention).

Following the interview and in an effort to expedite prosecution of the present invention, Claims 1 and 7 have been canceled, and allowed Claims 2 and 15 have been further clarified. For instance, Claim 2 has been clarified to define that a first oxide film is formed on first and second active regions while a silicon nitride film is formed on all upper surfaces of the first oxide film and a surface of an isolation insulating film. Claim 15 has been clarified to define that at least one wire is formed on the interlayer insulating film. The feature of at least one wire including first to third wires has been removed from both these claims. These clarifications are minor and are not believed to change the allowable subject matter existing in these claims.

Hence, as before, Claims 2-6, 8, 15, and 17-22 are allowable.

Application No. 09/729,816

Reply to Office Action dated October 26, 2004 and Advisory Action dated February 8, 2005

Consequently, in light of the above discussion, the present application as amended herewith is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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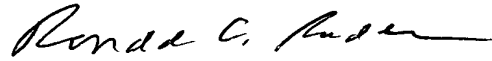
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